

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO.: 04 – 11937 DPW

Robert L. Johnson,)
Plaintiff)
)
)
vs.)
)
)
Town of Sandwich, MaryGail Alese,)
Patrick R. Ellis, Robert S. Jones, Diane)
T. Tucker, John S. Jillson, Jan L.)
Teehan and George H. Dunham,)
Defendants)

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Local Rule 16.1, the parties in the above action submit this Joint Statement in advance of the scheduling conference set for January 11, 2005.

I. Statement Pursuant to Local Rule 16.1(B)

Counsel for the plaintiff and defendants state that they have conferred pursuant to Rule 16.1(b) for the purpose of: (1) preparing an agenda of matters to be discussed at the scheduling conference; (2) preparing a proposed pretrial schedule; and (3) considering whether they will consent to trial by magistrate judgment.

II. Statement Pursuant to Local Rule 16.1(C)

The Plaintiff is in the process of producing a demand and will submit same to the Defendants prior to the Scheduling Conference.

III. Joint Statement Pursuant to Local Rule 16.1(D)

A. Joint Discovery Plan

1. The parties propose that all discovery be completed by May 31, 2005.
 - a. The Plaintiff proposes conducting several depositions, including all Defendants. At this time, the Defendant proposes conducting one deposition, that of the Plaintiff.
 - b. The parties agree to limit the number of interrogatories, requests for admissions and document requests allowed by the Federal Rules of Civil Procedure at this time.

2. The parties propose that expert witnesses, if any, be identified by the Plaintiff on or before June 30, 2005 and that expert witnesses, if any, be identified by the Defendant on or before July 30, 2005. Depositions of expert witnesses if any will be completed by August 30, 2005.

B. Proposed Motion Schedule

The parties propose that all motions to dismiss or motions for summary judgment be filed on or before August 30, 2005. The Defendants has filed a Motion to Dismiss the Plaintiff's Complaint prior to receiving the notice from the EEOC giving the Plaintiff the Right to Sue. The Defendants will withdraw that Motion to Dismiss and file a subsequent motion.

C. Proposed Pre-Trial Conference Date

The parties propose that the Court conduct a pre-trial conference in this matter in September 2005.

Respectfully submitted,
The Plaintiff,

Respectfully submitted,
The Defendants,

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